



Patent
Attorney's Docket No. 000500-195

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Eva SIMMONS et al.) Group Art Unit: 3761
Application No.: 09/380,211) Examiner: M. KIDWELL
Filed: November 8, 1999)
For: AN ABSORBENT ARTICLE)
INCORPORATING LIQUID)
BARRIERS WITH SEALING)
COATING)

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TECHNOLOGY CENTER R3700

DECLARATION UNDER 37 C.F.R. § 1.131

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

We, Eva Simmons, Peter Rönnerberg, Anders Gustafsson, and Bo Runeman,
declare that:

1. We are the inventors of the subject matter disclosed and claimed in the above-referenced patent application.
2. We are familiar with U.S. Patent No. 6,156,024 (attached hereto as Exhibit A), filed December 3, 1996, and issued December 5, 2000. The present application was filed November 8, 1999, prior to the issuance of the '024 patent. Thus, no statutory bar exists regarding the '024 patent and this Declaration is appropriate under 37 C.F.R. § 1.131.
3. The claimed invention was reduced to practice in Sweden, a WTO country, prior to December 3, 1996, the filing date of the '024 patent. No reliance on any reduction to practice of the claimed invention prior to January 1, 1996, is asserted.
4. Prior to December 3, 1996, a description of the claimed invention was provided to a patent advisor for the applicant of the above-identified patent application, who forwarded the information to Swedish patent counsel. The order letter, in Swedish, and dated prior to December 3, 1996, describes the invention claimed in the above-identified patent application. Specifically, an absorbent article wherein the sealing edges of the liquid barriers are treated

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with a non-adhesive sealing medium which at least partly fills out any through-penetrating pores which are formed between the sealing edge or edges and the wearer's skin is described.

5. An English translation of the relevant part of the letter is as follows:

The fourth application should concern the invention 'Viscospåret', where the basic idea is that a material of a type such as petrolatum (Vaseline) is applied to the barrier and fills out possible openings or channels and in this way prevents leakage. The different ideas are presently tested and good results have been obtained."

6. Exhibit B is a redacted copy of a protocol from a meeting of a Steering Committee which took place in Sweden prior to December 3, 1996, further describing the features of the claimed invention.

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under 18 United States Code section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Eva Simmons



Peter Rönnberg



Anders Gustafsson



Bo Runeman

Date: 15 November 2001